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EXAMINER	
STEVENS, ROBERT	
ART UNIT	PAPER NUMBER
2162	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/797,057	CHUNG ET AL.	
	Examiner	Art Unit	
	Robert Stevens	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 November 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. The Office withdraws the previous rejections of the claims under 35 USC §103(a), in light of the amendment. However, the Office sets forth new rejections of the claims under 35 USC §§101, 112-1st paragraph and 103(a), in light of the amendment.

Response to Arguments

2. Applicant's arguments filed 11/29/06 and concerning the Tsumagari reference have been fully considered and are persuasive.

Regarding the rejection of claims 1-7, 11-13 and 15-20, Applicant asserts on page 7 that Applicant's foreign priority date predates the Tsumagari reference.

The agrees, and has issued new rejections citing new art

Regarding the rejection of claims 8-10 and 14, Applicant asserts on pages 7-9 that the cited references do not teach the amended claim language..

The Office considers these arguments to be moot, as new rejections have been set forth below.

Specification

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The terminology "computer-readable medium" (recited in claims 12-15) does not appear in the specification.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. **Claims 1-7 and 12-15 are rejected under 35 U.S.C. 101** because the claimed invention is directed to non-statutory subject matter.

To be statutory, a claimed computer-related process must either: (A) result in a physical transformation outside the computer for which a practical application is either disclosed in the specification or would have been known to a skilled artisan, or (B) be limited to a practical application with useful, concrete and tangible result.

A practical application can be either physical transformation or a useful, concrete and tangible result.

Regarding independent claim 1: This claim essentially recites obtaining a markup document and resources, and "enabling a user to interact with the markup document". Although there may be evidence of concreteness, there is no positively recited use of that data, nor is there evidence of tangibility. It is noted that although user interaction is enabled, it is not required. Thus the claim only requires obtaining a markup document and resources, and the presence of a "presentation engine" (i.e., a software module that could be, but doesn't have to be, interacted with by a user).

Claims 2-7 and 12-13 are dependent upon, and do not correct the deficiencies of claim 1. These claims are likewise rejected.

Regarding claims 12-15: Each of these claims is directed to a computer readable medium. This terminology does not explicitly appear in the specification. However, the terminology "machine-readable medium" can be found in the specification at paragraph [0090] on pages 20-21. It appears that Applicant is attempting to claim a "machine-readable medium", which is defined in the specification as a signal. Each of these claims is not patent eligible because each lacks the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. Each claim is clearly not a series of steps or acts to be a process nor is each a combination of chemical compounds to be a composition of matter. As such, each fails to fall within a statutory category. Each claim is, at best, functional descriptive material *per se*.

Claims 1-7 and 12-15 are not patent eligible because the invention recited therein does not produce a useful, concrete and tangible result.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. **Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph**, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. These claims are vague and ambiguous, and thus, their scope is indeterminable.

Regarding independent claim 1: It is unclear what Applicant intends to claim with the recited line 12 terminology "paused or stopped". It is noted that pausing and stopping are two different concepts, and no selection as to which concept is desired was recited.

Claims 2-7 and 12-13 depend upon claim 1, and are therefore likewise rejected.

Regarding independent claim 8: There appear to be missing essential elements/steps. First, it is unclear as to the purpose of the limitation at line 7 ("interpreting a script code ..."). This limitation is unrelated to the rest of the claim. Second, line 5 recites defining a document form and line 8 recites creating a document form, but there is no connection between the definition and the created document form. Additionally, it is unclear as to the purpose of lines 18-19, which appear to merely reiterate (using slightly different terminology) lines 16-17 (re: "being interactive with a user"). Also it is unclear whether "a user" as recited in line 17 is the same or different from "a user" recited in line 19.

Claims 9-14 depend upon claim 8, and are therefore likewise rejected.

Regarding independent claim 11: It is unclear what Applicant intends to claim with the recited line 8 terminology "paused and/or stopped". It is noted that pausing and stopping are two different concepts, and no selection as to which concept is desired was recited.

Claim 15 depends upon claim 11, and is therefore likewise rejected.

Regarding independent claim 16: First, it is unclear what Applicant means by "linked and embedded into the markup document". To one skilled in the art "embedding" means that the AV data is incorporated into the markup document. It is

unclear, then, why such data is also linked into the markup document. See line 5. Second, it is unclear what Applicant intends to claim with the recited line 11 terminology "paused or stopped". It is noted that pausing and stopping are two different concepts, and no selection as to which concept is desired was recited. Additionally, line 7 recites "selected markup resources", but no step was positively recited in which such resources were actually selected. Thus it is unclear how such resources were selected, and what criteria were used in such a selection.

Regarding claim 17: This claim is unclear. First, it recites multiple options, making it unclear what Applicant intends to claim. See line 2 "and/or", and line 3 in which "or" is recited twice. Additionally, lines 1-2 recite "wherein the markup document represents a document written in a markup language ... or ...". It is unclear why or how a markup language document would represent anything else.

Regarding claim 18: This claim is unclear. It recites parsing and validating a markup document "during ... presentation ... on the screen". It is unclear why and how parsing and validation steps take place "during the presentation". Such steps occur before presentation, because if the document must be parsed first, before any action can be taken regarding the markup document. Additionally, if the document is not "valid", it makes no sense to "present" it.

Regarding claim 20: First, it is unclear how this claim is further limiting of claim 16. Compare to lines 10-11 of claim 16. Additionally, this claim requires a selection of a "paused" option or mode, but no such selection has been positively recited. Therefore, the claim appears to be missing an essential step/element.

Claims 17-20 depend upon claim 16, and are therefore likewise rejected.

Claims 1-20 are not patent eligible because these claims are vague and ambiguous, and thus, the scope of each is indeterminable.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. **Claims 11 and 15 are rejected under 35 U.S.C. 102(e)** as being anticipated by Lamkin et al. (US Patent Application Publication No. 2002/0078144, provisionally filed Jul. 2, 2001 and published Jun. 20, 2002, hereafter referred to as "Lamkin").

Regarding independent claim 11: Lamkin teaches ***A method of reproducing audio and/or visual (AV) data in an interactive mode using a markup document*** (See Lamkin Abstract and paragraph [0130], discussing control of video playback.)***, the method comprising: interpreting the markup document comprising AV data embedded therein, obtained from an information storage medium, upon request from a user;*** (See Lamkin paragraphs [0077] and [0081], teaching the display of an embedded video object within a HTML window.) ***and presenting the markup document comprising the AV data embedded therein on a screen;*** (See Lamkin paragraph [0081], discussing the display of video within a HTML window.) ***and facilitating an interaction between the markup document and the user, thereby allowing the user to pause and/or stop the presentation of the markup document and the AV data on the screen, via a remote controller, during the interactive mode.*** (See Lamkin Fig. 6 #612 and paragraph [0071] teaching a presentation engine, in the context of page 55 section "A.3.20 RC Button Event" listing remote controller button events for play, pause and stop.)

Claim 15 is substantially similar to claim 11, and therefore likewise rejected.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. **Claims 1, 5-9, 12, 14, 16-18 and 20 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Lamkin et al. (US Patent Application Publication No. 2002/0078144, provisionally filed Jul. 2, 2001 and published Jun. 20, 2002, hereafter referred to as "Lamkin") in view of Michael Morrison et al. (XML Unleashed, SAM's Publishing, Indianapolis, IN, Dec. 1999, pp. 146-149 [note: pages 149-153, 174-179, 184-202, 206-209, 290, 424,427, 431-447 and 463-467 were previously cited], hereafter referred to as "Morrison"). Simon North, et al. (Sam's Teach Yourself XML in 21 Days, Sam's Publishing, Indianapolis, IN, Mar. 1999, pp. 7-18, 33-35 and 52 [note: pages 97-99, 227-263, 298-305, 466-471,474 and 477 were previously cited], hereafter referred to as "North") has been relied upon for the purpose of showing why one of ordinary skill in the art would use the XML programming language in designing/developing a computer project.

Regarding independent claim 1: Lamkin teaches ***A method of reproducing audio and/or video (AV) data in an interactive mode using a markup document, the method*** (See Lamkin Abstract and paragraph [0130], discussing control of video

playback.) ***comprising: obtaining the markup document and markup resources representing AV data files that are linked and embedded into the markup document, from an information storage medium;*** (See Lamkin paragraphs [0074] and [0077], discussing embedding and linking a video object in HTML.) ***and enabling a user to interact with the markup document for presentation, via a presentation engine operable in a reproduction state, a pause state, and a stop state,*** (See Lamkin Fig. 6 # 612 and paragraph [0071] teaching a presentation engine, in the context of page 55 section "A.3.20 RC Button Event" listing remote controller button events for play, pause and stop.) ***wherein the markup document is presented on a screen and selected markup resources representing AV data files are provided in a display window defined by the markup document on the screen, if the reproduction state is selected by the user, via a remote controller,*** (See Lamkin paragraph [0081] discussing displaying DVD video in a HTML window, in the context of page 55 section "A.3.20 RC Button Event" listing remote controller button events for play, pause and stop.) ***and wherein the presentation of the selected markup resources representing AV data files is paused or stopped, if the pause state or the stop state is selected by the user, via the remote controller.*** (See Lamkin page 55 section "A.3.20 RC Button Event" listing a remote controller button event for stop.)

However, Lamkin does not explicitly teach the further limitations as claimed. Morrison, though, discloses ***according to a document life cycle*** (See Morrison page 146 section entitled "Rendering XML in Style Sheets, discussing the use of style sheets to display markup language documents.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Morrison, an XML textbook, for the benefit of Lamkin. It would have been obvious to one of ordinary skill in the art at the time of the invention because, as set forth in the North text book on XML, to do so would have allowed a programmer to easily develop programs (see 4th bulleted item on page 15, i.e., "XML documents are easy to create"), that support a wide variety of applications (see 1st bulleted item n page 14), and used a preferred programming language that allowed for the interchange of data between computers and computer applications (see 1st sentence on page 18). These references were all applicable to the same field of endeavor, i.e., markup language programming.

Regarding claims 5 and 6: These claims modify the "pause state" limitation of claim 1. However, it is noted that claim 1 recites an optional selection of pausing or stopping. The "stop state" was selected, and art was applied accordingly. Such art, as cited, still reads on these claims, because the operational claim, in each case, does not include "pause state" actions. (See Lamkin page 55 section "A.3.20 RC Button Event" listing a remote controller button event for stop.)

Regarding claim 7: Lamkin teaches ***wherein in the stop state, the reproduction of markup resources stops, a timer in the presentation engine stops, and information that is needed by the markup document and that is to be***

kept after the stop state is stored. (See Lamkin paragraph [0120] teaching a timer connected to an event generator, and paragraph [0138] discussing a timer used for determining events for synchronization and controlled playback.)

Regarding independent claim 8: Lamkin teaches ***A method of presenting a markup document in an interactive mode,*** (See Lamkin Abstract and paragraph [0130], discussing control of video playback.) ***the method comprising: and decoding markup resources representing AV data linked to the markup document and outputting the markup document rendered along with the markup resources representing AV data,*** (See Lamkin paragraph [0077] in context of [0081], teaching the displaying of DVD video in a HTML window.) ***wherein the markup document is presented on a screen and the markup resources representing AV data are presented in the display window defined by the markup document on the screen can be interactive with a user,*** (See Lamkin Fig. 6 # 612 and paragraph [0071] teaching a presentation engine, in the context of page 55 section "A.3.20 RC Button Event" listing remote controller button events for play, pause and stop.) ***and wherein the presentation of the markup resources representing AV data is interactive and can be controlled by a user.*** (See Lamkin page 55 section "A.3.20 RC Button Event" listing remote controller button events for play, pause and stop.)

However, Lamkin does not explicitly teach the further limitations as claimed. Morrison, though, discloses ***interpreting the markup document and generating a document object tree according to a predetermined rule;*** (See Morrison Figure 12.1

on page 207, showing document parsing and tree generation, in context of the second bullet under the third paragraph of "Processing an XML Document", which teaches the use of a DTD. See also the Microsoft Dictionary, 5th Edition definition of "DTD" on page 179, discussing the use of a DTD to provide formal definitions (or rules) for use by a parser.) ***interpreting a stylesheet to define a document form of the markup document and generating a style rule/selector list;*** (See Morrison in the first paragraph under "Inside a CSS Style Sheet" on page 157, discussing rule selection for applying a set of styles to a document.) ***interpreting a script code that is included in the markup document;*** (See Morrison section entitled "Statements" on page 424, discussing the well known use of interpreted JavaScript statements within a markup document.) ***applying the style rule/selector list to the document tree to create a document form;*** (See Morrison in the first paragraph under "Inside a CSS Style Sheet" on page 157, discussing the application of styles to a document .) ***generating a formatting structure that corresponds to the document form;*** (See Morrison section entitled "Inside a CSS Style Sheet" on page 157, particularly noting the second and third paragraphs and the style rule code ["p { ... }"], which teach the mapping of style rules to element types.) ***rendering the markup document according to the format structure;*** (See Morrison section entitled "Inside a CSS Style Sheet" on page 157, particularly noting the second and third paragraphs and the style rule code ["p { ... }"], which teach the mapping of style rules to element types and the display in accordance with the style rule.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Morrison, an XML textbook, for the benefit of Lamkin. It would have been obvious to one of ordinary skill in the art at the time of the invention because, as set forth in the North text book on XML, to do so would have allowed a programmer to easily develop programs (see 4th bulleted item on page 15, i.e., "XML documents are easy to create"), that support a wide variety of applications (see 1st bulleted item n page 14), and used a preferred programming language that allowed for the interchange of data between computers and computer applications (see 1st sentence on page 18). These references were all applicable to the same field of endeavor, i.e., markup language programming.

Regarding claim 9: Lamkin does not explicitly teach the remaining limitations as claimed. Morrison, though, discloses ***wherein the predetermined rule requires that a root node of all nodes of the document tree is set as a document node, in which all texts and elements generate nodes, and a processing instruction, a comment, and a document type generate a node.*** (See Morrison Figure 15.1 and the paragraph following this figure on page 290, noting that the figure tree includes a root node labeled as "document" and also text, element, version, and comments nodes. Additionally, the code Listing 15.1 on page 289 shows XML code corresponding to the document tree of Figure 15., and the first line of the code includes a document type, which produces a version or processing node.)

Claim 12 is substantially similar to claim 1, and therefore likewise rejected.

Claim 14 is substantially similar to claim 8, and therefore likewise rejected.

Regarding independent claim 16: Lamkin teaches ***A method of reproducing data recorded on an information storage medium using a reproduction apparatus*** (See Lamkin Abstract and paragraph [0130], discussing control of video playback.) ***comprising: reading data recorded on the information storage medium in an interactive mode, including a markup document and markup resources representing audio/visual (AV) data that are linked and embedded into the markup document;*** (See Lamkin paragraph [0077] in context of [0071], teaching embedding DVD video objects and the use of a DVD Navigator application for DVD discs.) ***and presenting the markup document on a screen in which selected markup resources representing AV data are provided in a display window defined by the markup document,*** (See Lamkin paragraph [0077] in context of paragraph [0081], teaching the display of AV data in a HTML window.) ***wherein, upon a user's request via a remote controller, the presentation of the markup resources representing AV data provided in the display window defined by the markup document on the screen can be paused or stopped to resume at a later time.*** (See Lamkin page 55 section "A.3.20 RC Button Event" listing a remote controller button event for stop.)

However, Lamkin does not explicitly teach the further limitations as claimed. Morrison, though, discloses ***according to a document life cycle*** (See Morrison page

146 section entitled "Rendering XML in Style Sheets, discussing the use of style sheets to display markup language documents.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Morrison, an XML textbook, for the benefit of Lamkin. It would have been obvious to one of ordinary skill in the art at the time of the invention because, as set forth in the North text book on XML, to do so would have allowed a programmer to easily develop programs (see 4th bulleted item on page 15, i.e., "XML documents are easy to create"), that support a wide variety of applications (see 1st bulleted item n page 14), and used a preferred programming language that allowed for the interchange of data between computers and computer applications (see 1st sentence on page 18). These references were all applicable to the same field of endeavor, i.e., markup language programming.

Regarding claim 17: Lamkin teaches ***wherein the markup document represents a document written in a markup language and/or to which a source code written in Javascript or Java language is linked or inserted thereto, and the information storage medium is an interactive digital versatile disc (DVD).*** (See Lamkin paragraphs [0071], [0073] and [0077], teach the use of scripts, such as Javascript, and a DVD Navigator application.)

Regarding claim 18: Lamkin teaches ***during the presentation of the markup document on the screen, the markup document is parsed and interpreted for validity before the corresponding AV data is decoded and blended thereto so that the corresponding AV data is provided in a display window defined by the markup document on the screen.*** (See Lamkin Fig. 7 #426 showing a decoder element, and paragraph [0081] discussing video display in a HTML window.)

Regarding claim 20: This claim modifies the "pause state" limitation of claim 16. However, it is noted that claim 16 recites an optional selection of pausing or stopping. The "stop state" was selected, and art was applied accordingly. Such art, as cited, still reads on this claim, because the operational claim does not include "pause state" actions. (See Lamkin page 55 section "A.3.20 RC Button Event" listing a remote controller button event for stop.)

12. **Claims 2, 10 and 13 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Lamkin et al. (US Patent Application Publication No. 2002/0078144, provisionally filed Jul. 2, 2001 and published Jun. 20, 2002, hereafter referred to as "Lamkin") in view of Michael Morrison et al. (XML Unleashed, SAM's Publishing, Indianapolis, IN, Dec. 1999, pp. 146-149 [note: pages 149-153, 174-179, 184-202, 206-209, 290, 424,427, 431-447 and 463-467 were previously cited], hereafter referred to as "Morrison") and further in view of Adams (US Patent Application Publication No.

2002/0124100, filed Apr. 27, 2000 and published Sep. 5, 2002, hereafter referred to as "Adams").

Regarding claim 2: Lamkin teaches ***wherein the document life cycle comprises: a loading process interpreting the markup document and loading the markup document on the screen;*** (See Lamkin paragraphs [0077] and [0081], teaching the display of an embedded video object within a HTML window.) ***and an interacting process facilitating an interaction between the markup document and the user.*** (See Lamkin paragraphs [0074] – [0257], teaching the control of playback and DVD navigation.)

However, Lamkin does not explicitly teach the remaining limitations as claimed. Adams, though, discloses ***a preloading process reading the markup document into a memory;*** (See Adams paragraph [0238], discussing preloading into a browser cache.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Adams for the benefit of Lamkin in view of Morrison, because to do so allowed a system designer to enhance the speed of delivery of content to users, as taught by Adams in the Abstract. These references were all applicable to the same field of endeavor, i.e., markup language programming.

Claim 10 is substantially similar to claim 2, and therefore likewise rejected.

Claim 13 is substantially similar to claim 2, and therefore likewise rejected.

13. **Claims 3-4 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Lamkin et al. (US Patent Application Publication No. 2002/0078144, provisionally filed Jul. 2, 2001 and published Jun. 20, 2002, hereafter referred to as "Lamkin") in view of Michael Morrison et al. (XML Unleashed, SAM's Publishing, Indianapolis, IN, Dec. 1999, pp. 146-149 [note: pages 149-153, 174-179, 184-202, 206-209, 290, 424,427, 431-447 and 463-467 were previously cited], hereafter referred to as "Morrison") and further in view of Adams (US Patent Application Publication No. 2002/0124100, filed Apr. 27, 2000 and published Sep. 5, 2002, hereafter referred to as "Adams") and Atmakuri et al. (US Patent Application Publication No. 2002/0069410, filed Dec. 1, 2000 and published Jun. 6, 2002, hereafter referred to as "Atmakuri").

Regarding claim 3: Lamkin does not explicitly teach the remaining limitations as claimed. Atmakuri, though, discloses ***wherein the document life cycle further comprises a terminating process terminating the markup document loaded on the screen.*** (See Atmakuri page 5 code line #80 onunload="vod_CleanUp()" teaches document termination.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Atmakuri for the benefit of Lamkin in view of Morrison and Adams, because to do so allowed a user to control a digital device, as taught by

Atmakuri in the Abstract. These references were all applicable to the same field of endeavor, i.e., markup language programming.

Regarding claim 4: Lamkin does not explicitly teach the remaining limitations as claimed. Atmakuri, though, discloses ***wherein the document life cycle further comprises a discarding process discarding the markup document remaining in the memory.*** (See Atmakuri page 4 code lines 26-30 listing the routine "function vod_CleanUp()", teaching discarding a document from memory.)

14. **Claim 19 is rejected under 35 U.S.C. 103(a)** as being unpatentable over Lamkin et al. (US Patent Application Publication No. 2002/0078144, provisionally filed Jul. 2, 2001 and published Jun. 20, 2002, hereafter referred to as "Lamkin") in view of Michael Morrison et al. (XML Unleashed, SAM's Publishing, Indianapolis, IN, Dec. 1999, pp. 146-149 [note: pages 149-153, 174-179, 184-202, 206-209, 290, 424,427, 431-447 and 463-467 were previously cited], hereafter referred to as "Morrison") and further in view of Atmakuri et al. (US Patent Application Publication No. 2002/0069410, filed Dec. 1, 2000 and published Jun. 6, 2002, hereafter referred to as "Atmakuri").

Regarding claim 19: Lamkin does not explicitly teach the remaining limitations as claimed. Atmakuri, though, discloses ***terminating the markup document presented on the screen;*** (See Atmakuri page 5 code line #80 onunload="vod_CleanUp()" teaches document termination.) ***and discarding the markup document in a memory after termination.*** (See Atmakuri page 4 code lines 26-30 listing the routine "function vod_CleanUp()", teaching discarding a document from memory.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Atmakuri for the benefit of Lamkin in view of Morrison and Adams, because to do so allowed a user to control a digital device, as taught by Atmakuri in the Abstract. These references were all applicable to the same field of endeavor, i.e., markup language programming.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Non-Patent Literature

Rule, Jeff, "Windows Media Playback in a Web Page", Web Developer's <Virtual Library>, May 7, 2001, pp. 1-9 (downloaded from: www.wdvl.com/Multimedia/Windows_Media/index3.html).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Art Unit 2162

March 20, 2007

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PRIMARY EXAMINER